、T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			25-Sep-07	APPL. S. N:	10667861						
To Exami	iner:		MISLEH, JUSTIN	Art Unit	2622						
From			Gunter-Riley, Joyce PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68						
SUBJECT	r: Decisio	n on Termina	l Disclaimer(T.D.) filed:								
form para or have a	agraphs io	dentified by th lons, please s	d the submitted T.D. with the res nis informal memo in your next O ee me or the Special Program Ex O APPLICANT OR (2) PLACED OF F	ffice action to notify applicant of taminer. THIS IS AN INFORMAL, I	the T.D. If you disagree NTERNAL MEMO ONLY.						
please in	itial, date	and return th	nis memo to me. THANK YOU.								
	The T.D.	is PROPER an	nd has been recorded (see 14.23)	,							
	The T.D.	is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):									
		The TD fee of use of a depo	J	d nor is there any authorization ii	n the application file for the						
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).									
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).									
	Γ.	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a termin portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).									
	<u> </u>	The person who signed the T.D.:									
		is n	ot an attorney "of record" (see 14	4.29 and 14.29.01).							
		has	failed to state his/her capacity to	sign for the business entity (see	: 14.28).						
		is n	ot recognized as an officer of the	assignee (see 14.29 & possible 1	4.29.02).						
		nor is the ree (see 37 CFR	tary evidence of a chain of title from the original inventor(s) to assignee has been submitted, el and frame number specified as to where such evidence is recorded in the Office 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and er may be found in the T.D. or in a separate paper of record in the application (see 14.30).								
	F	The T.D. is no	ot signed (see 14.26 & 14.26.03)								
	Γ		umber of the application (or the number of the patent) which forms the basis for the double jection is missing or incorrect (see 14.32).								
	Γ	The serial number of this application (or the number of the patent in reexam or reissue cases bein disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).									
	Γ.	The period di	sclaimed is incorrect or not specif	fied (see 14.26, 14.27.02 or 14.2	6.03).						
	Ľ.	Other:									
			o request refund (see 14.36). NO neck this item.	TE: If already authorized, credit r	refund to deposit account						
I have ap	propriate	ely notified app	plicant(s) of the status of the Teri	minal Disclaimer filed in this case							
Ex.Initials	s :	Date	۰.		Log Date:						

Application Number		10/667,861	ntroj No.	Re	eexamination UMAZAKI ET AL.	inder				
Document Code - DISQ		Internal Doo		cument – DO NOT MAIL						
TERMINAL DISCLAIMER	Æ	☑ APPROVED			☐ DISAPPROVED					
Date Filed : September 17, 2007		This patent is subject to a Terminal Disclaimer		t						
Approved/Disapproved by:										
Henry D. Jefferson										
÷										

U.S. Patent and Trademark Office

Docket No. 242763US2TTCRD DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Shunichi NUMAZAKI, et al.

SERIAL NO: 10/667,861

GAU:

2622

FILED:

September 23, 2003

EXAMINER: EGAN, SCOTT T.

FOR:

IMAGE INPUT APPARATUS AND METHOD

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

KABUSHIKI KAISHA TOSHIBA is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 014500, frame(s) 0831.

KABUSHIKI KAISHA TOSHIBA hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,661,453, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,661,453, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

KABUSHIKI KAISHA TOSHIBA does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,661,453 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters Attorney of Record Registration No. 28,870

Customer Number

Sept 17, 2007

22850

Tel. (703) 413-3000 Fax. (703) 413-2220 (OSMMN 05/03)

CARL E. SCHLIER **REGISTRATION NO. 34,426**